



EXPRESS MAIL NO.: EV475141246US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Laurence Warden *et al.*

Confirmation No.: 9885

Application No.: 10/749,348

Group Art Unit: 2821

Filed: December 31, 2003

Examiner: To Be Assigned

For: WAVEGUIDE COMPRISING SCATTERED
LIGHT DETECTABLE PARTICLES

Attorney Docket No.: 11032-041-999

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to a Notice To File Missing Parts of Nonprovisional Application ("Notice"), dated April 30, 2004, in connection with the above-identified application, Applicants submit herewith (a) a Declaration for the application executed by inventors Laurence Warden, Paul J. Bushway, Todd C. Peterson and Kris Rolfson on August 23, 2004, October 28, 2004, July 26, 2004 and August 24, 2004, respectively; (b) a Revocation and Power of Attorney by Assignee executed by Anton J. Bokal, Intellectual Property Counsel of Invitrogen Corporation, on October 29, 2004; and (c) a copy of the Notice.

An Assignment by each of the inventors to Invitrogen Corporation, copies of which are attached, is submitted for recordation on even date herewith.

The surcharge required to be filed with the accompanying Declaration under 37 C.F.R. § 1.16(e) has been estimated to be \$130.00. Additional fees required for this application are the statutory basic filing fee of \$790.00, excess claims fee of \$882.00 for 49 claims over 20, and a surcharge of \$ 300.00 for multiple dependent claim. Please charge the

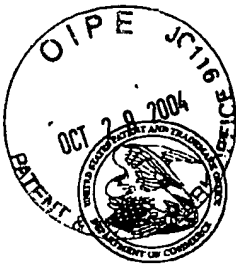
required fee, and any other additional fees, to Deposit Account No. 50-3013. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: October 29, 2004

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/749,348	12/31/2003	Laurence Warden	11032-041-999

20583
JONES DAY
222 EAST 41ST ST
NEW YORK, NY 10017

CONFIRMATION NO. 9885

FORMALITIES LETTER



OC000000012500783

Oath/Dec & Fee / Drawings Due 6-30-04

Final Date 10-30-04

Date Mailed: 04/30/2004

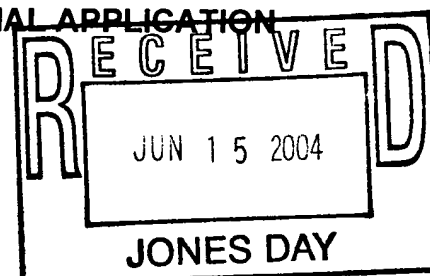
NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/03/2004 AWONDAF1 00000160 503013 10749348

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 790.00 DA
02 FC:1051 130.00 DA
03 FC:1202 882.00 DA
04 FC:1203 300.00 DA

Filing Date Granted



Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 18-21.
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 24.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1172** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$2072** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$1172**
 - **\$882** for **49** total claims over 20.
 - **\$290** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

ROLAND

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY